ENVIRONMENTAL TOBACCO SMOKE: A GUIDE TO WORKPLACE SMOKING POLICIES
COMMENT SUMMARY

Comment #	Commenter	Summary	Issue #
087	Coalition on Smoking OR Health- Fran Du Melle, Chairperson; Scott D. Ballin, Legislative Council and VP for Public Affairs, AHA; Alan C. Davis, VP for Public Affairs, ACS	Comments address Risk Assessment. Should incorporate results of study published in The New England Journal of Medicine by Dr. Dwight T. Janerich that links childhood ETS exposure with lung cancer in adulthood (Journal article enclosed). Update Guide's current figures of "over 300,000" deaths per year from smoking and 100,000 smoking-related lung cancer deaths per year to 390,000 and 123,540, respectively (per 1989 Surgeon General's Report).	9a, 10
		Comments on Guide: State total number of ETS-attributed deaths (3,800) for never-smoking adults and former smokers in addition to stating the figures for each group separately. Don't use the term "ban" when proposing to eliminate smoking in workplace as it sheds negative light on recommendations; speak of need to create "smoke-free, healthful workplaces" instead. Strongly emphasize complete prohibition as the preferred policy and eliminate phrase, "wherever possible", when recommending prohibition. Make following changes to addresses and phone numbers on resource list: American Cancer Society, 1599 Clifton Road N.E., Atlanta, GA 30329; American Lung Assn., (212) 315-8700; American Heart Assn., (214) 373-6300.	5, 9a, 10, 11a, 16
088	Washington Legal Foundation and U.S. Representatives Jones, Neal, Coble, Hefner, Derrick, Tallon, Hatcher, Bliley, Tanner, McMillan, Gordon, and Rogers	Indoor Air Division formulated Guide long before receipt of scientifically defensible findings regarding the health effects of ETS. IAD should suspend work on Guide until Risk Assessment and technical compendium have undergone SAB review. IAD led by anti-smoking crusaders. Contractor is biased due to interest in proliferation of anti-smoking policies. Guide characterized by pre-judgment of the issues. Guide does not address economic practicality of separate ventilation systems or total prohibition. Chapter 6 should be omitted entirely as it distorts existing legal precedent on the issue (specific cases addressed in comment). Section in Guide concerning public opinion is irrelevant because public lacks scientific expertise. Case studies misrepresent common practice in the workplace, i.e., accommodation of both smokers and nonsmokers, and over-emphasizes the feasibility of IAD recommendations. Guide is de facto rulemaking that virtually requires employers to ban smoking, yet IAD lacks the legislative authority to issue such a rule.	1a-c, 2, 5a, 11a, 12, 14, 15
089	C. Everett Koop, M.D.	Comments address Risk Assessment. Conclusions in Risk Assessment nearly identical to ones reached in 1986 Surgeon General's report. Need to eliminate ETS exposure is imperative. Smoker's don't have right to endanger lives of others, especially children. ETS definitely Group A carcinogen. Tobacco industry will challenge EPA Risk Assessment; industry comment should be rejected.	4, 5a, 6, 9a, 10
090	NY Chamber of Commerce and Industry- Paul Magaril	Two preferred options, separately ventilated rooms or complete prohibition, would impose enormous costs on businesses and decrease worker productivity. Recommendations in Guide based on small group of inconclusive studies conducted in residential settings. No statistically significant evidence linking ETS exposure with lung cancer.	5a, 10, 11, 11a, 14, 14a
091	Joe Yates, AR Senate	No real risk from ETS exposure. Smoking regulations represent unnecessary intrusion on small and medium-sized businesses.	2, 10

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092	Tommy Haun, AR State Representative	Public does not want government to control another aspect of their lives. Each individual worksite should decide its own smoking policies in manner that accommodates rights of smokers and nonsmokers.	2, 6, 13, 15
093	TN Dept. of Labor- James White	OSHA, not EPA, has authority to regulate indoor air quality in workplace. Recommendations in draft not feasible for most workplaces. Low worker productivity and morale would result. Local communities should regulate smoking in workplace. Guide prepared by people with preset opinions. No consideration given to smokers. No consideration given to economy of tobacco-producing states. Economic impact would be severe and unemployment would result.	1b, 1c, 2, 11, 14, 14a
094	MO Dept. of Health- John R. Bagby	ETS is very hazardous. EPA has taken right step in suggesting that it be regulated as a known carcinogen. Guide will combat misinformation generated by tobacco industry. As Missouri has no statewide restriction on public smoking, Guide will have positive impact on health of Missourians.	4, 10
095	MD. Dept.of Licensing and Regulation- William A. Fogle, Jr., Secretary	Issue of ETS in workplace should be left to agencies whose exclusive mission is to handle such issues. (Ex: Division of Labor and Industry within MD Dept. of Licensing and Regulation has direct responsibilty for matters concerning workplace safety and health.)	2
096	Scott D. Moore, NE State Senator	With amount of attention given to ETS nationally and by other agencies, not necessary for EPA to pursue the issue. Time better spent on investigation of other serious workplace problems. Improved ventilation systems would provide more comprehensive solution to indoor air quality problems.	2, 3, 11a
097	NY Committee for Occupational Safety and Health- Arthur Wilcox, Jr., Chairman	EPA should focus on all indoor air pollutants; ETS constitutes a small percentage of the problem.	3
098	The Tobacco Institute- Samuel D. Chilcote	Statutory authority for release of guide questionable. Title IV of SARA does not give EPA authority to undertake anti-smoking crusade, give legal advice concerning workplace smoking, attempt to encourage litigation against employers, give advice to employers concerning cost savings from smoking restrictions, or attempt to indirectly regulate smoking, all of which EPA has tried to do. Contractor responsible for drafting Guide has economic interest in proliferation of anti-smoking policies and lacks expertise concerning health effects of ETS exposure. Guide's release premature due to inadequacy of underlying scientific data. Preparation of Guide should have been delayed pending completion and scientific review of technical compendium and Risk Assessment. Suggestions for specific chapters are enclosed and include: Entire text substitutions for Introduction and Chapters 1, 2, and 3; proposals to delete Chapters 6, 8, and 9, and; proposals to consolidate Chapters 5, 7, and 10-13 into a single Chapter 5, the suggested text of which is provided. Chapter 4 lacks foundation, because no reliable evidence that ETS exposure causes disease. Consolidated substitute text provided at end of comments.	1a, 1b, 2, 3, 5a, 6-16

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099	Gary Maxey, OK State Representative	EPA is singling out ETS without considering other workplace environmental problems. Smoking restrictions represent unnecessary regulation of small businesses.	2, 3
100	W. Owen Elmer, NE Senator	EPA is singling out ETS without considering other more dangerous indoor air pollutants. Small businesses would be adversely affected by anti-smoking regulations. Studies based on ETS exposure in home, not workplace.	3, 8, 14
101	John S. Wilder, TN Lt. Governor	Congress, not EPA, has authority over workplace smoking.	2
102	GA Retail Assn.- William C. McBrayer	Guide gives no consideration to clients or customers entering a place of business who may choose to smoke. Lack of emphasis on providing accommodations for both smokers and nonsmokers in the workplace. Guide based on research gathered from residential environments, not the workplace. Many potential sources of indoor air pollution other than ETS (i.e. carpets, drapes, glue, office equipment, cleaning solvents, paints, work chemicals, etc.). Proper ventilation solves entire issue of indoor air pollution and removes blame from smokers.	3, 8, 11a, 13a
103	Washington Legal Foundation and U.S. Representatives Jones, Neal, Coble, Hefner, Derrick, Tallon, Hatcher, Bliley, Tanner, McMillan, Gordon, and Rogers	Same as comment 88 (original version)	
104	R. N. Dewberry	Comments from prisoner in CA who requests information concerning: Medical symptoms/dangers of excessive subjection to second-hand smoke; available treatments for such exposure; precautions that can be taken to avoid ETS exposure, and; research data/legal decisions on people who have become ill or died from prolonged ETS exposure.	NA
105	Charles Brown, MN Representative	ETS represents a small portion of indoor air quality problems. EPA should focus on overall health problems in workplace before issuing any policies on ETS.	3, 8
106	Barbara Gronemus, WI State Representative	States do not need federal agency instructing them on smoking policies. Guide based on studies conducted in home, not workplace. Other indoor pollutants more harmful than ETS. EPA should focus on "real" health concerns of employees.	2, 3, 8,
107	Kathleen L. Wojcik IL State Representative	Concerned that the proposed Guide only deals with cigarette smoke, while there are so many other indoor air contaminants. We must provide a safer and healthier workplace for our workers. There is a need for proper ventilation in order to prevent "sick building syndrome." EPA should stop work on the HGuide until EPA addresses other problems of indoor air.	1a, 3, 11a

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108	Colin & Yvonne Hester	EPA has not taken into consideration the conclusions of other studies made by many credible sources. EPA's Guide contradicts New England Journal of Medicine's article stating that there is no evidence of an adverse effect of environmental tobacco smoke in th eworkplace. Wonders how credible EPa really is.	1c, 16
109	Riley C. Dannell, TN state Senate	Guide is premature and not appropriate.	1a
110	RJR Tobacco Company	Addresses scientific accuracy, presentation of scientific information, and policy implications of the Guide. Guide's authors are biased and have conflicts of interest. Guide presents a selective, distorted and misleading review of ETS science (i.e. ETS is not equivalent to sidestream smoke, constituents of ETS provide no basis to reach conclusions regarding ETS and Health), and trivalizes complexities of exposure assessment. EPA has exceeded its statutory authority, abused its discretion, and compromised its scientific integrity by developing this Guide. Guide fails to consider all viable policy options. Agency's development of this Guide should be terminated. Includes various comments prepared by RJR scientists (3 volumes).	1-16
111	R.C. Brown Medical research Council	The risks from ETS are small and are not universally accepted. The reasons provided in the Guide for respiratory disorders in children are not very clear. Are meta-analyses ever appropriate in making final conclusions as to the existence or absolute magnitude of a risk. Studies measuring exposure and risk of ETS were performed in the home and do not necessarily apply to the workplace.	8, 9, 9a 10
112	Sandy Schuster Project TAPP	Supports all legislation and action that alerts the public about the dangers of passive smoking.	16
113	Walter C. Scott	Appreciates efforts to alert the public of the dangers of passive smoking.	16
114	David Stall	Supports efforts to document research on second-hand smoke.	16
115	James D. Zellner Secretary, ETS Manufacturers Association	Since 1973 ETS has been used as an acronym for Electric Thermal Storage heating industry. Along with the rest of the industry, I am requesting that you eliminate any further references to Environmental Tobacco Smoke, as "ETS."	16

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L001	Head Distributing Co.- Jack M. Head	Many sources of indoor pollution other than ETS. EPA should focus on developing incentives to promote adequate ventilation, rather than targeting smokers. Punishing smokers is discriminatory and will decrease worker productivity and morale.	3, 6, 11a, 14a
L002	L.H. Ivy, TN Department of Agriculture	The effect of environmental tobacco smoke apparently has not been determined in any conclusive fashion. The Tennessee Legislature passed legislation this year mandating that smokers have a place to smoke when and if workplace smoking rules are issued by state agencies.	16
L003	Ernest Newton, CN State Representative	Any recommendations about workplace exposure should be withheld until studies about exposure in the workplace have been performed. EPA should consider the importance of adequate ventilation in addressing all aspects of inddor air problems.	1a, 8, 11a
L004	Albert J. Benson	Environmental Tobacco Smoke is a very big cause of asthma, in children and adults. Although there are other irritants in the air, tobacco smoke is one of the major causes. Tobacco smoke deserves a proper place in the Guide. Attached various articles about health and exposure to ETS.	3, 9a, 9b, 12
L005	Gene C. Royalty Secretary, KY Legislature	Smoking regulations in Kentucky not iniated by OSHA could really hurt small businesses who are already working with OSHA on health and safety standards. It seems practicle that OSHA handle all workplace related guidelines. EPA should stick to broader air quality issues.	2, 14
L006	LuciaPiazza	Read that breating the air in Bombay is like smoking 10 cigarettes a day. Wants to know how bad pollution really is.	16
L007	Elias "Bo" Ackal, Jr. LA House of Representatives	Poor ventialtion is the source of the problem, not ETS, in most cases. Studies used mostly refer to residences. Need some studies on the workplace in order to asess the workplace exposure. Guide only makes two recommendations: ban smoking or separate ventialtion systems, which would be too expensive.	8, 11a, 14
L008	Trish Greene, RN, BSN American Cancer Society	Supports Dr. Stanton Glanz' comments about the section on p. 55 suggesting relutance on the part of the nurses to implement smoking policies. Attached articles talking about reduced smoking in nurses.	16
L009	Frank D. Barrows, CN State Senator	The scientific basis for the proposed Guide remains unclear. The Yale study indicates that there is no statistical evidence between ETS and health risk factors. The construction of specially designed ventilated rooms is not a feasible, cost efficient alternative.	8, 11a, 14
L010	Dawn Voshen	The draft Guide is a wealth of information that is easy to read. The sections on other companies and employees reactions is terrific. Smoke effects my health.	9, 13
L011	Robert S. Parker, Health Director, New Hanover County Health Department	Encourage EPA to promote the dangers of passive smoke. Attached New Hanover County's Smoking Ordinance.	12

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L012	Richard H. Cladera	Comment refers to Risk Assessment. Interested in seeing cigarette smoke be classified as a class A carcinogen and treated as a serious health hazard. Nonsmokers must be protected by from th effects of passive smoke.	10
L013	Dale J. Venturini Rhode Island Hospitality Association	Scientific analysis of the ETS problem is far from complete, and the Guide is very premature. Need more options for employers besides a complete ban and separately ventilated rooms, which would be very expensive. Tobacco smoke only represents 2% of the building complaints, while ventilation probelms account for 50%. These solutions would be very costly to businesses.	1a, 3, 8, 11a, 14
L014	Brian H. Bailey Vice President, American Stabilis, Inc.	Since 1973 ETS has been used as an acronym for Electric Thermal Storage heating industry. Along with the rest of the industry, I am requesting that you eliminate any further references to Environmental Tobacco Smoke, as "ETS."	16
L015	Roald Cann	Smoke is very irritating and a very large risk.	10
L016	Martin Pion President, GASP	There is a need to get employee involvement. There is a nicotine addiction that the Guide fails to mention, and is a very important substance in tobacco. The highly addictive nature of nicotine needs to be addressed in the Guide. Attached examples of other smoking policies to help in the development of the Guide.	10
L017	Marc Gallop Alberta Health	Attached a report called "Clearing the Air: Creating a Smoke Free Workplace." It is designed to help determine the best kind of smoking policy for your organization. It outlines the important roles that smoking and non-smoking employees have in developing and implementing the policy. It provides effective methods for communicating the policy and shows how to support and reinforce the policy.	1, 1a, - 16
L018	William L. Roper, MD, MPH Director, Department of Health and Human Services, Centers for Disease Control	Comments address Risk Assessment. The draft is an excellent document and we agree with the conclusions in the Executive Summary.	10
L019	Dr. Mara Z. Vitolins	Comments address Risk Assessment. Information should be made available to the public in order to inform them of the dangers of passive smoke.	10
L020	Michael J. Ravnitzky	The amount of second-hand smoke in airports is unacceptable. Airport ventilation is generally poor, and large amounts of carbon monoxide and dangerous particulates are left in the air. What is EPA doing to address the problem of toxic levels of second-hand smoke in airports.	11a, 13c, 14
L021	Darlene Couch Marlow	Support the EPA's reports on Environmental Tobacco Smoke nd ask for their early adoption.	16
L022	Betty Whaley	The Guide is a valuable contribution to the public debate.	16
L023	Esther Schiller	Interested in seeing Guidelines for the administration of the Americans with Disabilities Act developed. Attached various articles and letters.	9b, 12

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